

North Andover Conservation Commission Meeting Minutes
February 24, 2016

Members Present: Louis A. Napoli, Chairman, Albert P. Manzi, Vice Chairman, John T. Mabon, Deborah A. Feltovic, Douglas W. Saal.

Members Absent: Joseph W. Lynch, Jr., Sean F. McDonough.

Staff Members Present: Jennifer A. Hughes, Conservation Administrator, Donna M. Wedge Conservation Secretary.

Pledge of Allegiance

Meeting came to Order at: 7:01PM Quorum Present.

Approval of Minutes 2/10/16

- A motion to accept the meeting minutes of 2/10/16 as drafted and reviewed is made by Mr. Manzi, seconded by Ms. Feltovic.
- Vote unanimous.

Request for Determination of Applicability

21 South Cross Road (Doherty & Moroney)

- The applicant Carol Doherty & Michael Moroney of 21 Cross Street are present.
- The Administrator reviews the proposed project to fill in sinkholes within the existing yard within the 100' buffer zone. The work is approximately 50' from the wetland.
- Mr. Mabon asks what material will be used to fill the holes.
- Ms. Doherty states a sandy clay will be used. Peter Breen will be the contractor.
- Mr. Saal asks what caused the sink holes.
- Ms. Doherty states she believes it was rotting stumps.
- Mr. Saal states if they are not removed the area may sink again.
- Ms. Doherty she is acting on the recommendation of the contractor.
- Mr. Manzi states he remembers when the development was constructed. He states they have likely been there since 1992 and have been degrading for quite some time.
- Ms. Doherty states the sink holes developed over time.
- A motion to issue a negative determination #3 with conditions for pre & post construction inspections, installation of erosion controls and wetland markers at the 25' No-Disturbance Zone is made by Mr. Manzi, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *Application Checklist-Request for Determination of Applicability*
- *Letter prepared by Perter Breen Excavating, Inc. explaining how the work would be done on the site.*
- *WPA Form-1-Request for Determination of Applicability*
- *Project Description*
- *Signatures and Submittal Requirements*

- *Certifies Abutter List prepared by the Town of North Andover Assessors Department dated February 4, 2016*
- *Notification to Abutters Form*
- *NHESP Map prepared by the Town of North Andover Conservation Department dated February 8, 2016*
- *USGS Map prepared by the Town of North Andover Conservation Department dated February 8, 2016*
- *Certified Foundation Plan prepared by Scott L. Giles R. L. S. dated June 26, 1991*

Notice of Intent (NOI)

242-1672, 492 Sutton Street (Lawrence Municipal Airport) (Stantec Consulting Services, Inc.) (cont. from 2/10/16)

- The applicant Michael Miller Manager of Lawrence Municipal Airport and Randall P. Christensen of Stantec Consulting Services, Inc. are present.
- The Administrator states that the final peer review comments were received. She states the airport has several expired Orders of Conditions that have not been closed out. She states it is the Commissions policy to try to close out old orders prior to issuing new ones.
- Mr. Manzi states the old order issue should be addressed in the new Order.
- Mr. Christensen states a special condition would be acceptable to assist in closing out the old orders. He states this process will take some time because they will need to contact the project applicants and find old plans. Concrete submittal dates can be provided. He also reviews the final 3rd party review letter.
- Mr. Manzi discusses the interim drainage plan.
- Mr. Christiansen reviews that the temporary bypass culvert will not be permanently blocked but plugged in case needed.
- Mr. Manzi asks if the commission is in receipt of all record documents.
- Randy states that all record documents have been submitted.
- The commission discusses the old open order issue again.
- Mr. Christiansen notes that on some of the orders work was never done.
- Mr. Manzi reiterates that a special condition can be drafted to deal with the list of old order without COCs.
- Mr. Mabon has a question about an issue on page 3 of the Stantec reply to the peer review.
- Mr. Christiansen directs Mr. Mabon to sheet 906 where there is an updated detail.
- The commission discusses the process for issuing the OOC
- There are no abutters present.
- The Administrator states she will review the list of open orders for completeness.
- A motion to grant the request for a continuance to the March 9, 2016 meeting is made by Ms. Feltovic, seconded by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

Documents:

- *Letter prepared by Stantec Consulting Services, Inc. Reference: Response to final peer review dated February 22, 2016*
- *Plan prepared by Stantec Consulting Services, Inc., construct runway 5-23 end safety areas*

- *Letter prepared by EcoTec, Inc. dated February 12, 2016, Re: Proposed Runway Improvements 492 Sutton Street, North Andover (DEP #242-1672)*
- *Letter prepared by Graves Engineering, Inc. dated February 12, 2016, Subject: Lawrence Municipal Airport Stream Relocation, Hydrology & Hydraulics Peer Review*
- *Stormwater Management Report dated 2/19/16*
- *Plan prepared by Stantec Consulting Services, Inc., Title: Intermittent Stream Relocation Details, Drawing No. C-906, Revised: 2/16/2016*

242-1671, 2302 Turnpike Street (Earthworks, Inc.) (Williams & Sparages) (cont. from 2/10/16)

- A motion to grant the request for a continuance to the March 9, 2016 meeting is made by Ms. Feltovic, seconded by Mr. Manzi
- Vote unanimous.
- **Document:**
- *E/Mail prepared by Williams & Sparages dated February 24, 2016 requesting a continuance to the March 9, 2016 meeting*

242-1674, 121 Millpond Townhomes (Property Management of Andover, Inc.) (Civil Design Consultants, Inc.) (cont. from 2/10/16)

- Andrew Street of Civil Design Consultants, Inc. and William Anderson, Chairman of the Condo Homeowners Association are present.
- The Administrator reviews suggested areas for buffer zone mitigation.
- Mr. Napoli states since the commission is considering less than full compliance with stormwater management for the new parking areas, the mitigation is required. He states he reviewed all of the areas and the planting is not excessive.
- Mr. Manzi reviews the planting and a proposal to phase the plant installation.
- Mr. Napoli states stormwater compliance would be far more costly.
- Mr. Anderson states that the condo owners value the wetland areas and he suggests adding plantings at the fence area above Cochichewick Brook. The Association is also willing to plant the pond bank on driveway 17 as well as along the brook.
- The Administrator states if planting is too expensive reverting to natural is still an option.
- Mr. Manzi states the plantings could be phased to control costs.
- Mr. Mabon reviews the Bylaw requirement for a 25' No-Disturb zone and states that a better buffer results in better water quality. He states that planting the area will result in fewer invasive species and ultimately less management.
- Mr. Saal states a planting plan should be submitted.
- The applicant asks about prices on plants.
- The Administrator states having some volunteer species would be acceptable.
- Mr. Manzi states an Order of Conditions is good for 3 years and can be extended twice for a year at a time.
- Mr. Anderson states the Association could let the areas from the outfall to building 10 go natural and do plantings along the pond as well as ground cover at the fence area. In years 2-5 they could do more plantings. He asks about the invasive vine they have on the property.
- Mr. Street requests that we leave the hearing open for one more meeting.

- A motion to grant the request for a continuance to the March 9, 2016 meeting is made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

Document:

- *Aerial Photos showing possible mitigation areas prepared by the Conservation Department dated: February 22, 2016*

242-1676, Lot 1 Hillside Road (Winslow Drive Realty Group, LLC) (Rimmer Environmental Consulting, LLC) (cont. from 2/10/16)

- The applicant Brian Boyle of Winslow Drive Realty Group, LLC, Mary Rimmer of Rimmer Environmental Consulting and Philip Busby, Jr. of 303 Chestnut Street are present.
- Administrator reviews the changes made to the Lot 1 plan. She states the erosion control detail has not been upgraded to include silt fence.
- Ms. Rimmer states the erosion control could be conditioned.
- Mr. Manzi states straw wattles are not sufficient to stop soil migration.
- The commission discusses the break in the wall.
- Mr. Manzi states a continuous wall was requested. Ms. Rimmer states there are shrubs in the way that would need to be removed.
- Mr. Boyle states he has been a builder for 30 years and never seen such a requirement. He states he met with the Administrator on the lot and the wall covers 80-90% of the lot.
- Mr. Manzi states he has been a commissioner for more than 20 years and knows that properties are bought and sold and without permanent monumentation, sheds appear where they don't belong and there is yard waste dumping. He states the best the commission can do is require something that can't be moved. He states he is very familiar with the Busby property.
- Mr. Boyle asks why the Millpond applicant was not required to put in a wall.
- Mr. Manzi states that was a different scenario and the request is not unreasonable on this lot.
- Ms. Rimmer states this property is redevelopment as well.
- Mr. Manzi states a gate could be installed at the opening.
- Mr. Saal suggests that the gap be made less wide.
- Mr. Napoli stated the opening should not be 12'. He recommends 6'.
- Ms. Rimmer states the wall could be extended to the street and the property line on Lot 1.
- The commission discusses the brook and easements that may exist.
- There is a discussion of the type of wall.
- Mr. Saal states it should be a farmer's wall, not mortared.
- Mr. Manzi states the applicant should use the detail the town provides.
- Mr. Mabon asks about the typical tree line shown on the plan.
- A motion to grant the request for a continuance to the March 9, 2016 meeting is made by Ms. Feltovic, seconded by Mr. Manzi.
- Vote unanimous.

Documents:

- *Subdivision Plan Lot 1 Prepared by ASB Design Group, LLC dated January 28, 2016, revised Subdivision Plan prepared by ABS Design Group, LLC dated February 16, 2016*
- *North Andover MIMAP Chestnut Street Lots prepared by the North Andover Conservation Department dated February 10, 2016*

242-1675, Lot 2 Hillside Road (Winslow Drive Realty Group, LLC) (Rimmer Environmental Consulting, LLC) (cont. from 2/10/16)

- The applicant Brian Boyle of Winslow Drive Realty Group, LLC and Mary Rimmer of Rimmer Environmental Consulting, LLC and Norman Wallace & Janet Wallace of 103 High Street, Andover, MA (owners Lot 2 Hillside Road) are present.
- Mr. Wallace, owner of Lot 2, states he and his wife plan to stay in the house for the long-term. He refers to the hearing on 265 Summer Street where wooden posts were allowed.
- The Administrator states there was a management plan on that lot for seasonal mowing to maintain the open meadow. She states she recommended to the applicant that he propose a similar plan.
- Mr. Napoli states a stone wall is not applicable in every situation.
- The commission discusses the possibility of a habitat management plan.
- Ms. Colleen Billings (Chestnut Street abutter) states years ago Buddy Cry (North Andover DPW) maintained a drainage easement at the back of the property but now the water does not flow and her backyard is getting wetter.
- Mr. Manzi states that under today's regulations work cannot be done in the brook.
- The commission further discusses the retaining wall and monumentation requirements. There is discussion of the trail system that exists.
- Ms. Rimmer states that access to the pond shore could be between flags A9 and A10. She states there is also currently access around A15.
- Mr. Napoli states access should be no more than 6' wide.
- Ms. Rimmer states the plans will be revised.
- A motion to grant the request for a continuance to the March 9, 2016 meeting is made by Ms. Feltovic, seconded by Mr. Saal.
- Vote unanimous.

Documents:

- *Subdivision Plan prepared by ABS Design Group, LLC for Lot 2 dated January 28, 2016, revised February 16, 2016*
- *North Andover MIMAP Chestnut Street Lots prepared by the North Andover Conservation Department dated February 10, 2016*

General Business: 8:45 PM

242-1169, COC Request, 2357 Turnpike Street (The Meadows) (Valley Realty Development) (cont. from 2/10/16) (Request to cont. to 3/9/16)

- A motion to grant the request for a continuance to the March 9, 2016 meeting is made by Mr. Manzi, seconded by Ms. Feltovic.
- Vote unanimous.

Document:

- *E/Mail prepared by Susan Mesiti of Real Estate Results, Inc. requesting a continuance to the March 9, 2016 meeting dated February 19, 2016*

242-1447, COC Request, 2357 Turnpike Street (The Meadows) (Valley Realty Development) (cont. from 2/10/16) (Request to cont. to 3/9/16)

- A motion to grant the request for a continuance to the March 9, 2016 meeting is made by Ms. Feltovic, seconded by Mr. Saal.
- Vote unanimous.

Document:

- *E/Mail prepared by Susan Mesiti of Real Estate Results, Inc. requesting a continuance to the March 9, 2016 meeting dated February 19, 2016*

242-1559, Extension Request, 40 Sugarcane Lane (LaGrasse Family Realty Trust) (Request to cont. to 3/9/16)

- A motion to grant the request for a continuance to the March 9, 2016 meeting is made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

Document:

- *E/Mail prepared by Joseph LaGrasse of 40 Sugarcane Lane the requesting a continuance to the March 9, 2016 meeting dated February 9, 2016*

Enforcement Order

1 Oak Avenue (Frazier)

- Administrator states that she has met with the owner and he is getting a delineation. She will advise on the type of filing once the delineation is complete. She recommends changing the date that a filing is required to March 11, 2016.
- A motion to ratify the Enforcement Order is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *Prepared by the North Andover Conservation Department Enforcement Letter dated February 9, 2016*
- *WPA Form 9-Enforcement Order dated February 8, 2016*

A motion to adjourn the meeting at: 9:00PM is made by Ms. Feltovic, seconded by Mr. Manzi. Vote unanimous.